

COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,
CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

This declaration is of the following type: (check one)

☒ original
☐ design

(check one, if applicable)

☐ national stage of PCT ☐ divisional
☐ supplemental ☐ continuation
☐ continuation-in-part (CIP)

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Vascular Device for Valve Leaf Apposition

the specification of which:

- (a) ☐ is attached hereto.
(b) ☒ was filed on June 8, 2001 as ☐ Serial No. _____
or ☒ Express Mail No. ET318836168US, as Serial No. not yet known.
and was amended on _____ (if applicable).
(c) ☐ was described and claimed in PCT International Application No. _____ filed on _____ and as amended under PCT Article 19 on _____ (if any).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation in part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation in part application.

FOREIGN PRIORITY CLAIM

☐ I hereby claim foreign priority benefits under Title 35 U.S.C. §119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application(s) which designated at least one country other than the United States of America, listed below and have also identified below any foreign application(s) for patent or inventor's certificate, or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☒ no such applications have been filed.
(e) ☐ such applications have been filed as follows

COUNTRY	APPLICATION NO.	DATE OF FILING (month, day, year)	PRIORITY CLAIMED UNDER 35 USC 119	CERTIFIED COPY ATTACHED?
			<input type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

[x] I hereby claim the benefit under Title 35, U.S.C. 119(e) of any United States provisional application, or under 35 U.S.C. §120 of any United States application(s) or PCT international application(s) designating the United States of America that are listed below.

U.S. APPLICATIONS

Serial No.	Filing Date	Status
60/241,120	June 26, 2000	Pending

PCT APPLICATIONS DESIGNATING THE U.S.

PCT Application No.	PCT filing date	U.S. Serial Nos. assigned (if any)	Status (patented, pending, abandoned)
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POWER OF ATTORNEY

As the inventor, I hereby appoint the following attorney, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.

NEIL D. GERSHON, Reg. No. 32,225 of Rex Medical, L.P., 585 County Line Road, Radnor, PA. 19087

I hereby give Mr. Neil D. Gershon or his duly accredited representative power to inspect and obtain copies of the papers on files relating to this application.

Send All Correspondence To:

Neil D. Gershon
Chief Patent Counsel
Rex Medical
2023 Summer St.
Suite 2
Stamford, CT. 06905

Direct Telephone Calls To:

Neil D. Gershon
(203) 348-0377 (phone)
(203) 348-0395 (fax)

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 35 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor James F. McGuckin, Jr.
Inventor's signature [Signature]
Date 6/11/01 Country of Citizenship US
Residence 585 County Line Road, Radnor, PA 19087
Post Office Address same

Full name of second inventor Richard T. Briganti
Inventor's signature [Signature]
Date 6/11/01 Country of Citizenship US
Residence 2201 Woodview Way, Malvern, PA 19355
Post Office Address same

[] Additional inventors are being named on the supplemental additional inventor sheet attached hereto.

Docket No. 1211

ASSIGNMENT OF INVENTION

In consideration of the payment by ASSIGNEE to ASSIGNOR of the sum of One Dollar (\$1.00), the receipt of which is hereby acknowledged, and for other good and valuable consideration,

ASSIGNOR: James F. McGuckin, Jr.
Richard T Briganti

(If assignment is by person or entity to whom invention was previously assigned and this was recorded in PTO add the following)

Recorded on _____
Reel _____
Frame _____

hereby sells, assigns and transfers to

ASSIGNEE: Rex Medical, L.P.
585 County Line Road
Radnor, PA 19087

and the successors, assigns and legal representatives of the ASSIGNEE, the entire right, title and interest, including the right to sue for present, past and future infringement, in the United States, its territorial possessions, and in all foreign countries, including all treaty and convention rights, in and to the invention, which includes any and all improvements, and is entitled:

Vascular Device for Valve Leaf Apposition

which is described in

- (a) ☐ U.S. patent application executed on even date herewith
- (b) ☐ U.S. patent application executed on _____
- (c) ☒ U.S. patent application filed on June 8, 2001 under
Express Mail No. ET318836168US
- (d) ☐ U.S. patent application serial no. _____
filed on _____
- (e) ☐ U.S. patent no. _____ issued _____

and any legal equivalent thereof in a foreign country, and, in and to, all United States and foreign Letters Patent, for the full term thereof, to be obtained for said invention by the above application or any continuation, division, renewal, extension or substitute thereof, and as to Letters Patent any re-issue or re-examination thereof;

ASSIGNOR hereby covenants that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment;


ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all such Letters Patent to ASSIGNEE:

ASSIGNOR further covenants, upon ASSIGNEE'S request, to promptly provide all pertinent facts and documents known and accessible to ASSIGNOR relating to said invention, Letters Patent and legal equivalents; to testify as to the same in any interference, litigation or proceeding related thereto; to promptly execute and deliver to Assignee or its representative any and all papers that may be necessary or desirable to obtain, maintain, issue, enforce and perfect title to said invention or any Letters Patents or legal equivalents which may be granted therefore in said ASSIGNEE, its successors, assigns or other legal representatives; to execute any additional or divisional applications for patents for said invention, or any part or parts thereof, and for the reissue of any Letters Patents; and to make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, all without further compensation, but at the sole expense of ASSIGNEE, its successors, assigns, or other legal representatives.

ASSIGNOR hereby grants ASSIGNEE and Assignee's attorneys the power to insert the application number and/or filing date of the above-described application(s) when such information becomes known.

IN WITNESS WHEREOF, I have hereunto set hand and seal.

INVENTORS:



Dated: 6/11/81

Richard T. Briganti

Dated: 6/11/01